

2006 Consumer Products Regulation Workgroup Meeting

July 25, 2006



California Environmental Protection Agency

Air Resources Board

Overview

- Background
- Progress Since Last Workgroup Meeting
- Revisions to Survey Data & Regulatory Categories
- Second Draft Proposed Category Standards
- Draft Definitions Table
- Stakeholder Comments Received
- Proposed Category Activity
- Other Regulatory Amendments/Issues
- 2006 Regulatory Timeline
- Next Steps
- Contacts and Resources

Background

- Fourth Workgroup Meeting
- Board Hearing Scheduled for November 2006
- Goal: 10-15 tpd VOC Reduction Statewide
- More Reductions Will be Achieved if Possible
- Survey Data: Ongoing Review / Revision

Progress Since Last Meeting

- Analyzed/Revised Survey Data (ongoing)
- Many Technical Meetings with Stakeholders and Industry Associations
- Released Second Draft Proposed Category Standards
- Released Proposed Regulatory Category Definitions

Revisions to Survey Data and Regulatory Categories

- Some Errors Discovered and Corrected:
 - Sales Data Reporting (Major Companies)
 - Improperly Reported Formulations
- Adjustments for Known Partial LVP-VOCs
- Ongoing Effort

Second Draft Proposed Category Standards

- Some Data Have Changed
 - Sales/Formula Errors Corrected
 - Products Moved
- Some Proposals Have Changed
 - Listed in ***Bold Italics***
 - Combined or Deferred Categories
- Some Data Withheld
 - Confidentiality
 - Data Under Review



Draft Definitions Table

- Includes definitions for:
 - Proposed Categories for Inclusion/Modification
 - Additional Regulatory-Related Definitions Proposed for Modification
- Table Formatting
 - All-new Definitions are Fully Underlined
 - Modified Definitions Use Underline to Indicate Additions and ~~Strikeout~~ to Indicate Deletions
 - Unchanged Definitions Noted

Stakeholder Comments Received to Date

- More Data Requested for Select Categories
 - SWA-MIR Data
 - VOC and MIR Figures by Customer Type (household, commercial/institutional, industrial)
 - Lists of Complying Products
- Further Analysis Requested
 - By Product Form
 - By Specialty Category
 - Verify/Re-evaluate Data for Complying Products
- Individual Category Comments

Proposed Category Activity

Automotive Care

- 3 Stakeholder-Requested Meetings
- Individual Categories:

Automotive Brake Cleaner, Carb/Choke Cleaner, and Engine Degreaser

- Stakeholder Comment (SC): "Proposed Limits Severely Reduce Cleaning; Limit Based on Poor Data"
- ARB Response (ARB): Still Under Consideration

Proposed Category Activity

Automotive Care

- Individual Categories (cont.)

Windshield Washer Fluid Type A

- SC: "Limit Will Not Allow Adequate Freeze Protection"
- ARB: Raise Proposed Limit to 25 Percent

Tire Cleaner & Wheel Cleaner

- SC: "Separate Aerosol and Non-aerosol"

Automotive Windshield Water Repellent

- SC: "Low VOC Products May Limit Visibility"
- ARB: Under Consideration; Low-VOC Products Exist

Proposed Category Activity

Personal Care

- 4 Stakeholder-Requested Meetings
- Individual Categories:
 - Personal Sanitizer
 - SC: "CDC Recommends Use of Alcohol-Based Sanitizers"
 - ARB: Consulting with DHS and Other Health Professionals
 - ARB: Non-alcohol Alternatives Making Same Claims Exist

Proposed Category Activity

Personal Care

- Individual Categories (cont.):
 - Hairspray
 - SC: "Industry Opposes Mass Cap in Addition to MIR Limit"
 - ARB: Change Proposal to MIR Limit Only
 - Nail Coating
 - ARB: Change Proposal to MIR Limits
 - Aftershave Product
 - ARB: Change Proposal to 30 Percent Standard for Liquids/Pump Spray and 1 Percent Standard for Semisolids

Proposed Category Activity

Adhesives, Sealants & Caulks

- 5 Stakeholder-Requested Meetings
- Individual Categories:

Construction, Panel and Floor Covering Adhesive

- SC: Various Technical Issues Identified

Aerosol Adhesives

- SC: "Establish Specialty Subcategories"
- SC: "Consider MIR Limit"

Proposed Category Activity

Cleaners, Degreasers, Disinfectants

- 3 Stakeholder-Requested Meetings
- Individual Categories:

Disinfectants, Sanitizers

- SC: "Products Must Remain Effective on All Surfaces for Health Benefit."

Proposed Category Activity

Charcoal Lighter Material

- 1 Stakeholder-Requested Meeting
- No Major Comments
- Still Reviewing “Other Forms” Data

Proposed Category Activity

Fabric Care

- 3 Stakeholder-Requested Meetings
- Individual Categories:
 - Spot Remover
 - SC: “VOC Solvents are Needed for Oil-based Stains. LVP Solvents Leave Sticky Residues That Attract More Soil”
 - Fabric Softener-Washer Product
 - SC: “Products Vary in Concentration, Amount Recommended, and Use Per Washload”

Proposed Category Activity

Lubricants, Penetrants

- 2 Stakeholder-Requested Meetings
- Individual Categories:
 - Multi-purpose Lubricants (excl. solid & semisolid),
Penetrants (excl. solid & semisolid)
 - SC: “Some Smaller Molecular Oils Must Be Used to Function Properly”
 - SC: “Limit is Achievable with Little/No Effect on Product Performance”

Proposed Category Activity

Lubricants, Penetrants

- Individual Categories (cont):
 - Multi-purpose Dry Lubricant (excl. solid & semisolid)
 - SC: “Cannot use LVP-VOCs in These Products. Only Fast-Drying, Low-Solvency Carriers Can Be Used”
 - SC: “No Anticipated Problems; Other Products Within Category May Be Different”
- Lubricant Definition Proposed to Include Rust Inhibitors

Proposed Category Activity

Waxes, Polishes

- 2 Stakeholder-Requested Meetings
- Individual Categories:
 - Floor Polish or Wax
 - SC: "Subcategorize by Commercial vs. Household"

Proposed Category Activity

Air Care

- 2 Stakeholder-Requested Meetings
- No Major Comments

Proposed Category Activity

Pesticides

- 1 Stakeholder-Requested Meeting
- Insecticide Fogger Deferred to Future Rulemaking

Proposed Category Activity

Food Related

- 1 Stakeholder-Requested Meeting
- No Major Comments

Other Regulatory Amendments / Issues

- No Changes to Previous Proposals; Still Analyzing
 - VOC Exemptions
 - Nail Polish Remover
 - Aerosol Coatings Regulation Clarifications
 - Rubber/Vinyl Protectant Re-Analysis
 - Re-evaluate Fragrance Exemption



Other Regulatory Amendments / Issues

- Multi-Function Products
 - Received Counter Proposal; Under Review
- Toxic Air Contaminant Assessment
 - Chlorinated Solvents Common in: Lubricants, Spot Removers, Carpet and Upholstery Cleaners, Oven Cleaners, Aerosol Adhesives, Brush Cleaner
 - Chlorinated Solvents Found in Small Amounts in: Tire Sealants, Fabric Protectant, and Non-Aerosol Adhesives

Other Regulatory Amendments / Issues

- Toxic Air Contaminant Assessment (cont.)
 - Hexanes Common In: Lubricants, Adhesives, Rubber/Vinyl/Plastic Protectant
 - Hexanes Found in Small Amounts in: Carb/Choke Cleaner, Brake Cleaner, Floor Polish & Wax for Wood Floors
 - Toluene, Formaldehyde, Xylenes Common in Nail Coatings

Other Regulatory Amendments / Issues

- Industry Proposal for Innovative Product Exemption (IPE) Amendment
 - “When New Mass-Based VOC Standard Enacted, Manufacturers Can Request IPE by Showing Compliance with SWA MIR of Compliant Products.”
 - ARB Staff Still Examining and Considering This Proposal

Regulatory Timeline

(tentative)

- Fourth Workgroup Meeting.....July 25, 2006
- First Public Workshop.....Late August 2006
- 45-Day Notice Release.....Sept. 29, 2006
- Board Hearing Date.....Nov. 16, 2006

- Additional Workshops/Workgroup/Subgroup/Individual Meetings TBA as Needed

Next Steps

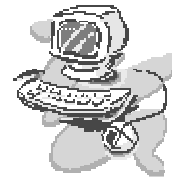
- Accept/Consider Written Comments
- Refine Proposed Regulatory Categories and Limits Based on Comments and Further Research
- Continue to Develop / Revise Category Definitions
- Continue to Confer With Interested Parties on Technical Issues for Specific Categories
- Provide Example Complying Formulas
- Public Workshop Late August 2006



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Websites



- **Air Resources Board website:** <http://www.arb.ca.gov>
- **Consumer Products website:**
<http://www.arb.ca.gov/consprod/consprod.htm>
- **2003 Survey Data Summaries website:**
<http://www.arb.ca.gov/consprod/regact/2003surv/datasum2003.htm>
- **Consumer Products Regulations website:**
<http://www.arb.ca.gov/consprod/regs/regs.htm>
- **Consumer Products List Server website:**
<http://www.arb.ca.gov/listserv/listserv.php>
- **2006 Consumer Products Regulation Amendments website:**
<http://www.arb.ca.gov/consprod/regact/cpwg2006/cpwg2006.htm>